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2  
3 UNITED STATES DISTRICT COURT  
4 DISTRICT OF NEVADA

5 DAVID VENTURA,

6 Plaintiff

Case No. 3:18-cv-00535-MMD-WGC

ORDER

7 v.

8 RENOWN HOSPITAL, *et al.*,

9 Defendants

10  
11 **I. DISCUSSION**

12 Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections  
13 (“NDOC”), has filed a notice of intent to file complaint and an emergency request. (ECF  
14 Nos. 1-1, 1-2.) Plaintiff has not filed a complaint or an application to proceed *in forma*  
15 *pauperis* in this matter.

16 Under Federal Rule of Civil Procedure 3, “[a] civil action is commenced by filing a  
17 complaint with the court.” Fed. R. Civ. P. 3. As such, the Court grants Plaintiff thirty days  
18 from the date of this order to submit a complaint to this Court.

19 Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an  
20 application to proceed *in forma pauperis* and attach both an inmate account statement  
21 for the past six months and a properly executed financial certificate. Plaintiff will be  
22 granted an opportunity to file an application to proceed *in forma pauperis*, or in the  
23 alternative, pay the full filing fee for this action. If Plaintiff chooses to file an application to  
24 proceed *in forma pauperis* he must file a fully complete application to proceed *in forma*  
25 *pauperis*.

26 **II. CONCLUSION**

27 For the foregoing reasons, it is ordered that the Clerk of the Court send Plaintiff  
28 the approved form application to proceed *in forma pauperis* by a prisoner, as well as the

1 document entitled information and instructions for filing an *in forma pauperis* application.

2 It is further ordered that within thirty days from the date of this order, Plaintiff must  
3 either: (1) file a fully complete application to proceed *in forma pauperis*, on the correct  
4 form with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or (2)  
5 pay the full \$400 fee for filing a civil action (which includes the \$350 filing fee and the \$50  
6 administrative fee).

7 It is further ordered that Plaintiff submit a complaint to this Court within thirty days  
8 from the date of this order.

9 It is further ordered that the Clerk of the Court send to Plaintiff the approved form  
10 for filing a 42 U.S.C. § 1983 complaint and instructions for the same. The Clerk of the  
11 Court is also instructed to send Plaintiff copies of his notice of intent to file complaint and  
12 emergency request. (ECF Nos. 1-1, 1-2.)

13 It is further ordered that if Plaintiff does not timely comply with this order, dismissal  
14 of this action may result.

15 DATED THIS 9<sup>th</sup> day of November 2018.

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18 MIRANDA M. DU  
19 UNITED STATES DISTRICT JUDGE  
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